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ABSTRACT

This paper lists the standards for a course in driver education approved for Texas schools. The guidelines cover administration and supervision; teacher certification; teaching assistants; course requirements; scheduling; instructor hours, class size, and age level; driver education course records; signatures; control of standards; and procedures for student certification. The paper also lists sources of supplementary information on licensing, insurance, and curriculum. (KC)

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DRIVER EDUCATION FOR TEXAS SCHOOLS

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LEGAL AUTHORITY

The Standards are developed and maintained jointly by the Texas Education Agency and the Texas Department of Public Safety. The following statutes provide a basis for this joint responsibility:

- Article 6687b, Section 7, Vernon's Texas Civil Statutes, provides that the Texas Department of Public Safety may license a person as an operator who is under the age of 18 provided he or she is 16 years or older where such person has completed a driver training course approved by the Texas Department of Public Safety and has passed the examination required by Article 6687b.

- Section 21.102, Texas Education Code, authorizes the Texas Education Agency to develop a program of organized instruction in driver education and traffic safety for public school students who are 15 years of age or older.

STANDARDS FOR AN APPROVED COURSE IN DRIVER EDUCATION
FOR TEXAS SCHOOLS

Administration and Supervision

To be an approved course, driver education must be a part of the regular curriculum. The superintendent, chief school official, or education service center director is responsible for certifying that the course meets the Standards for an Approved Course in Driver Education For Texas Schools and that all driver education personnel meet state requirements. The superintendent, chief school official, or education service center director is also responsible for providing each driver education instructor and administrator with a copy of the Standards. Instructors must also be provided with a state-approved curriculum guide appropriate for their phase of instruction.

Teacher Certification

A driver education endorsement may be added as an additional specialization area on any current Texas teacher's certificate issued by the Texas Education Agency (Central Education Agency). A teacher must complete a driver education program at a college or university that has been approved for this specific area of specialization.

In addition, the driver education teacher must possess a Texas drivers license, valid for the vehicle used for instruction, and meet the driver record evaluation standards established for Texas school bus drivers.

A fully certified teacher of driver education may be designated by the Texas Education Agency as a supervising teacher of driver education by completing six additional semester hours of university instruction that include the administration of driver education programs that include classroom and in-car instruction, techniques of simulation and multicar driving range instruction, supervision, and administration in traffic safety education. The instruction for supervising teachers must be given at a university approved to train driver education supervising teachers. Certificates of completion of training will be provided by the Texas Education Agency.

Teaching Assistants

Teaching assistants may be employed in the driver education program under the direction of a supervising driver education teacher with duties, training, and qualifications as follows:

1. Teaching assistants may be approved to assist certified teachers in the classroom phase of driver education and to conduct behind-the-wheel, multiple-car range, and simulator training. Training qualifications required for this level of performance may be met by completing successfully one of the two following plans:

a. Complete a program of study in driver education developed by the Texas Education Agency and the Texas Department of Public Safety.

b. Complete in an approved university the six semester hours of driver and traffic safety education required for driver education teacher certification, plus three additional hours in techniques of teaching in-car instruction and simulation.

2. Teaching assistants may be qualified to conduct only in-car training by completing the six semester hours of driver and traffic safety education required for driver education teacher certification.

Teaching assistants may be trained by approved universities as described in 1 b. of this section or by colleges, school districts or education service centers as described in subsection 1 a. of this section. When the training is conducted by colleges, school districts or education service centers, the program must be approved by the Texas Education Agency. Applications are available from the Texas Education Agency and must be submitted 30 days prior to the training program. Certificates of completion of training will be provided by the Texas Education Agency.

A teaching assistant in driver education must have been a licensed driver for a minimum of five years, be a high school graduate, and possess a Texas drivers license valid for the type of vehicle used in instruction. In addition, teaching assistants must meet the driving record evaluation standards established for Texas school bus drivers.

Programs that employ teaching assistants must maintain a ratio of no more than six teaching assistants for each supervising teacher. Teaching assistants must receive each month a minimum of one hour of supervision and evaluation while they are giving actual instruction.

Course Requirements

To be approved under these standards, driver education courses shall be provided under one or more of the following plans:

1. A minimum of 32 clock hours of classroom instruction, seven hours of behind-the-wheel instruction, and seven hours of in-car observation. Under this plan, students may receive only local credit for the course.

2. A minimum of 80 clock hours covering the essential elements in the Texas Administrative Code, Section 75.122 (a) and consisting of a minimum of 56 clock hours of driver education classroom instruction, a minimum of seven hours of behind-the-wheel instruction, and a minimum of seven hours of in-car observation. Under this plan, students may receive one-half unit of state credit counting toward graduation.

3. A minimum of 80 clock hours of classroom instruction covering the essential elements in the Texas Administrative Code, Section 75.122 (b) and consisting of a minimum of 56 clock hours of driver education classroom instruction and 24 clock hours of safety education. Under this plan, students may receive one-half unit of state credit counting toward graduation.

Schools may use multimedia systems, simulators, and multiple-car driving ranges for instruction in the driver education program. All simulators, including the filmed instructional programs, and all plans for multiple-car driving ranges must meet state specifications. Specifications for simulators and driving ranges have been developed by the Department of Public Safety and the Texas Education Agency and are available from the Agency.

Course content, minimum instruction requirements, and administrative guidelines for each phase must conform to the state-approved curriculum guide appropriate for each phase of instruction: Driver Education Classroom and In-Car Instruction, CU6 370 03; Driver Education Simulation and In-Car Instruction, CU8 833 03; Driver Education Multiple-Car Driving Range Instruction, CU8 833 04.

Four periods of at least 55 minutes of instruction in a simulator may be substituted for one clock hour of in-car instruction. Two periods of at least 55 minutes of multiple-car driving range instruction may be substituted for one clock hour of in-car instruction relating to elementary or city driving lessons. However, a minimum of four clock hours must be devoted to behind-the-wheel instruction.

Learning systems that have programs correlated with the course content of Driver Education Classroom and In-Car Instruction, CU6 370 03, may be used in class instruction.

Class instruction courses conducted through the medium of television must be approved by the Texas Education Agency.

Scheduling

Driver education programs may be scheduled with the classroom phase presented in block form or concurrently with the laboratory phases. Under the block form program, a student may apply to the Texas Department of Public Safety for an instruction permit after completion of the required classroom instruction. Under the concurrent program, a student may apply to the Texas Department of Public Safety for an instruction permit after completion of six hours of classroom instruction devoted to the lessons in Driver Education Classroom and In-Car Instruction, CU6 370 03, that cover driving laws and procedures.

The remaining required time must be devoted to completion of these lessons later in the course. When a student receives an instruction permit from the Texas Department of Public Safety under the concurrent schedule provision, the license number must be recorded by the instructor. Students licensed under the concurrent program must subsequently complete the required class instruction. If a student does not subsequently complete the required class instruction, the instructor must complete Form DL-42 and send it to the License and Driver Record Division of the Texas Department of Public Safety.

Form DL-42 should be initiated as soon as it is evident the student will not complete the required hours of instruction. The Texas Department of Public Safety may then revoke the student's instruction permit.

Instructor Hours, Class Size, and Age Level

The maximum amount of instruction time permissible for any driver education instructor shall not exceed eight (8) hours per day. However, instructors may not exceed six (6) hours per day of in-car instruction. This eight hour limit shall be determined by the sum of all hours of classroom instruction per day, regardless of the subjects taught, plus the total hours per day of in-car instruction. (This total of eight hours applies in all approved programs regardless of the number of schools involved.)

The number of students that may be enrolled in a driver education class must not exceed 35. However, the number of students per class may exceed 35 if the school operates under a plan that makes use of state-approved teaching assistants, adequate facilities, and innovative teaching methods and materials. Plans involving classes of more than 35 students must be approved in writing by the Texas Education Agency.

Driver education instruction is limited to eligible students who are at least 14 years of age when the driver education classroom phase begins and who will be 15 years of age or older at the time the driver education classroom phase ends. Students certified by the Texas Department of Public Safety as eligible for a minor's restricted driver's license shall not be required to be 15 at the time the classroom phase ends. In all cases, students must be 15 years of age before commencing behind-the-wheel driving instruction.

In-car instruction given on public roadways is limited to students who have an "instruction permit" or drivers license issued by the Texas Department of Public Safety for the type of vehicle being driven.

Students may be dropped from the driver education class for any violation of Texas motor vehicle laws.

Driver Education Course Records

A written record of instruction and observation time shall be maintained for each driver education student. Sample forms shown in Driver Education Classroom and In-Car Instruction, CU6 370 03, and Driver Education Simulation and In-Car Instruction, CU8 833 03, may be used, or appropriate forms may be developed provided they contain the basic information set forth in the sample.

A record of instruction in minutes and hours is required for each driver education student. The record shall be maintained by the school district or education service center and shall be made available to officials of the Texas Education Agency or the Texas Department of Public Safety.

Fiscal transactions for driver education must be handled through the district's regular accounting procedures as required in the Financial Accounting Manual, Texas Education Agency publication Bulletin 679.

The Texas Department of Public Safety and the Texas Education Agency will accept driver education instruction given students in other states. Students who receive part of their instruction in other states may complete their instruction in Texas. Driver education instruction received in other states must be certified in writing by the designated head school official at the school where the instruction was given.

Signatures

The Texas Department of Public Safety will accept only actual signatures of certified teachers. The signature of the chief school official or service center director may be written or stamped.

Control of Standards

The endorsement of a driver education teacher to teach driver education is subject to suspension or revocation on the following bases:

1. For signing the driver education certificate (Form DL-41A) when the certified driver education teacher did not personally instruct that student or the certified supervising driver education teacher did not supervise the teaching assistant(s) who aided in the instruction of the student during the course described on the certificate.

2. For signing a driver education certificate for instruction given during a period of certificate suspension.

3. For the accumulation of a personal driving record which does not meet the driver record evaluation standards established for Texas school bus drivers.

4. For falsification of any records.

5. For permitting an unlicensed student to practice behind-the-wheel driving lessons on a public roadway; for securing or aiding in securing illegal notarizations of applications for the operator's license; or for any other violation of a law or the Standards as related to the driver education program which in the opinion of the Commissioner of Education warrants suspension or revocation.

The period of any suspension shall be for no less than one summer or one semester of a school year. A teaching assistant's permit to teach driver education is subject to suspension or revocation under the same conditions described for driver education teachers.

When the endorsement of a driver education teacher or permit of a teaching assistant is suspended, or revoked, or when other action is taken, the Texas Education Agency shall notify the Texas Department of Public Safety in writing, giving the full name of the teacher, his or her certificate number, the action taken, and the date of expiration of any suspension. The Texas Department of Public Safety shall transmit this information to the appropriate Driver License and Safety Education Service field representative.

A school district is subject to loss of its authorization to conduct an approved driver education course if its administration fails to provide supervision to prevent violations of the laws or the Standards as related to the driver education program. In addition, any district that conducts a driver education course not meeting the Standards may be subject to loss of state funds for the students instructed.

Evidence of a violation of the Standards which would establish the course as inadequate or provide for suspension or revocation of the instructor's driver education endorsement may be determined by information coming directly to the Texas Education Agency. In addition, the Texas Department of Public Safety will render the following assistance in the control of the Standards:

1. Representatives of the Texas Department of Public Safety will not accept a student for a driver license examination when they have conclusive evidence of any violation of standards that would establish the course in which the student was enrolled as inadequate. Examples of such violations are:

   a. When fewer than the required number of hours of instruction have been given.

   b. When the instructor of the course has not been properly certified.

If, after acceptance of an application, the Department receives conclusive evidence that the course was inadequate, the license will not be issued. In such cases, the Department will notify the student, the Texas Education Agency, and the chief administrator of the organization initiating the application. If the violation is evidenced after the license has been issued, the license will be cancelled. No refund of the driver license fee will be made in this case. When school officials discover a license has been erroneously issued and the license is subject to cancellation as indicated above, an authorized person from the school will submit to the Texas Department of Public Safety, upon request, a completed Form DL-42 for each student enrolled in the course.

3. Applications will not be rejected and licenses will not be denied for violations of the Standards which do not establish the course as inadequate. The Texas Department of Public Safety, however, will assist the Texas Education Agency and the schools in maintaining the Standards by consulting with school officials as requested or as may be deemed appropriate concerning other violations.

4. When a representative of the Texas Department of Public Safety obtains conclusive evidence that a certified driver education instructor or state-approved teaching assistant may be subject to suspension or revocation as prescribed herein, the representative shall report the evidence in writing through proper channels to the Director of the Texas Department of Public Safety. The representative shall include the names of sources of information and attach any document or copy thereof that might aid the Texas Education Agency in enforcing the Standards. The Director of the Texas Department of Public Safety shall notify the Commissioner of

Education. The Texas Education Agency will then investigate the report. When a report from the Texas Department of Public Safety concerning the Standards results in a hearing before the Commissioner, a representative from the Texas Department of Public Safety may be requested to be present.

Procedures for Student Certification

The Texas Department of Public Safety will provide driver education certificates (Form DL-41A) upon request. On this form, the driver education instructor and the chief school official or executive director must certify that the driver education course was conducted in accordance with the Standards for an Approved Course in Driver Education for Texas Schools.

A student may take the examination for an instruction permit when Form DL-41A showing completion of class instruction or of specified lessons in concurrent programs is presented to any drivers license office.

The instruction permit limits the students to driving "accompanied by licensed driver, age 18 or over, in the front seat." An examination for the removal of this restriction cannot be given until licensee reaches the age of 18 or reaches the age of 16 and presents a driver education certificate (Form DL-41A) showing completion of the laboratory phase.

The Texas Department of Public Safety trooper will accept a Form DL-41A upon certification by a driver education instructor that the program has been completed according to the Standards for an Approved Course in Driver Education for Texas Schools (Driver Education for Texas Schools, AD6 370 04); that the person has achieved the competencies described in Driver Education Classroom and In-Car Instruction, CU6 370 03, and that the driver education instructor so certifying is properly certified or approved. The school official will make a copy of the teacher's certificate for driver education available to authorized Texas Department of Public Safety representatives when requested.

When the student completes the driver education course under more than one certified driver education instructor, each instructor shall complete the proper portions of the driver education certificate (DL 41A) and attach thereto a statement of the hours taught. A certificate must be completed by each instructor for the part of the course he or she taught and must be numbered in the order in which the student received instruction. In concurrent programs only one teacher will be required to sign a Form DL-41A, but all teachers giving instruction in the concurrent program must be fully certified driver education teachers or state-approved teaching assistants.

When students change schools before completing the classroom or laboratory instruction, they shall receive credit for the hours completed provided they enter within 90 days and complete courses at least comparable to those in which they were first enrolled. The teacher of the course in which the student was originally enrolled shall execute the driver education certificate (Form DL 41A), attaching thereto a statement showing the number of hours completed; the teacher shall mail the certificate to the chief school official in the school to which the student is transferring. The second teacher, upon the student's completion of the course, will issue a second Form DL 41-A

certifying the student's instruction as explained above.

When more than one certificate is necessary to show completion of a course, each certificate must be presented to the drivers license office when the student applies for a Texas instruction permit or for removal of restrictions.

When it is impossible for a driver education instructor to sign a driver education certificate (because of transfer, illness, or death), the superintendent, education service center director, or a designated official may certify that official records show the completion of an approved course. This must be done by completion of the driver education affidavit form on the reverse side of form DL-41A.

A student may receive credit for course hours completed prior to the date of suspension of a teacher's endorsement provided the suspension was not for an infraction that would conclusively establish the course as inadequate.

The Texas Department of Public Safety will accept Form Dl-41A certificates marked "innovative program" only when the program has been approved in advance by the Texas Education Agency and the Texas Department of Public Safety. When an innovative program has been approved, the affected Texas Department of Public Safety personnel will be notified.

Ratification

Provisions of this program as stated above become effective September 1, 1987.

Leo E. Gossett, Director
Texas Department of Public Safety

W. N. Kirby
Commissioner of Education

Supplementary Information

Licensing Information

Original applications, DL-41A forms, and DL-42 forms may be obtained from regional Texas Department of Public Safety Offices. Driver Handbooks may be purachased from:

Texas Department of Public Safety
General Services
Box 4087
Austin, TX 78773
512/465-2000

Written tests and driving examinations should be scheduled well in advanced.

Insurance Information

The Texas State Board of Insurance has authorized the use of the DL-41A form for insurance discount purposes. The DL-41A form, when showing successful completion of the laboratory phase, may be presented in lieu of Form SO-30. School districts should use the DL-41A form for all students.

Persons who have completed driver education in other states may send their credentials to the Texas State Board of Insurance and receive a SO-30 form to use in securing insurance discounts. Persons requesting SO-30 forms should send to the State Board of Insurance copies of school transcripts or state certificates showing completion of both classroom and in-car instruction. SO-30 forms may be requested from:

Manager
Texas Automobile Insurance Service Office
One La Costa, Suite 130
1016 La Pasada Dr.
Austin, TX 78752
512/458-6347

Curriculum Information

Additional information, curriculum guides, and **Standards for an Approved Course in Driver Education for Texas Schools** may be obtained from:

Texas Education Agency
Safety and Driver Education
Division of Curriculum Development
1701 North Congress Ave.
Austin, TX 78701
512/463-9585